

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

TAG/ICIB SERVICES, INC.,

Plaintiff

v.

CARIBE LINING SYSTEMS, INC.,

Defendant

CIVIL NO. 09-1836 (JP)

JUDGMENT BY DEFAULT

Before the Court is Plaintiff TAG/ICIB Services, Inc.'s ("TAG/ICIB") motion for default judgment as to Defendant Caribe Lining Systems, Inc. ("Caribe Lining") (**No. 5**). Plaintiff's motion is unopposed.

By way of background, Plaintiff filed the instant action in admiralty for collection of demurrage by an Ocean carrier on August 21, 2009. TAG/ICIB served Defendant Caribe Lining on September 25, 2009 (No. 4). Defendant did not file a responsive pleading or a request for extension of time within the twenty days after service permitted by Rule 12(a) of the Federal Rules of Civil Procedure. Accordingly, Plaintiff moved for entry of default (No. 5). The Clerk of the Court entered default against Defendant on October 19, 2009 (No. 6). In the same motion in which Plaintiff requested entry of default, Plaintiff TAG/ICIB filed a motion for default judgment.

CIVIL NO. 09-1836 (JP)

-2-

In support of its motion for default judgment, Plaintiff attached a statement under penalty of perjury by Mrs. Gladys Figueroa, Demurrage and Detention Manager of TAG/ICIB, alleging personal knowledge of the facts alleged in the complaint. Also, Plaintiff filed an account statement specifying the invoices owed by Defendant, thus supporting the material allegations in the complaint.

Upon consideration of Plaintiff's evidence, the Court enters the following findings of fact:

- (1) Plaintiff is owed \$19,050.00 by Defendant for demurrage charges pursuant to the applicable tariffs;
- (2) Plaintiff is owed \$6,667.50 by Defendant corresponding to a "Collection Expense Fee" of the total amount due; and
- (3) The total amount owed to Plaintiff by Defendant is **\$25,717.50** plus interest and costs.

Pursuant thereto, the Court hereby **ENTERS JUDGMENT FOR PLAINTIFF TO HAVE AND RECOVER** from Defendant Caribe Lining the amount of **\$25,717.50**, plus interests and costs.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 21st day of October, 2009.

s/Jaime Pieras, Jr.
JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE